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October 27, 2015

BY ECF

The Honorable Cathy L. Waldor
United States Magistrate Judge
Martin Luther King Building
50 Walnut Street
Newark, NJ 07101

Re: United States v. John A. Bennett, No. 09 Cr. 656 (SDW)

Dear Judge Waldor:

The government submits this letter in opposition to the defendant's current request to modify his bail conditions. The present request seeks an expansion of his curfew currently set to end at 7 p.m., to until 10 p.m. The Supervising Office of the United States Pre-Trial Services in the District of New Jersey does not object to the current request. As set forth below, the government respectfully requests that the Court maintain the defendant's current bail conditions and deny his request for an expanded curfew.

The current request is the defendant's fifth request for a modification of his bail conditions since this Court set bail on December 9, 2014. Previously, on May 14, 2015, this Court set the defendant's current bail conditions, granting the defendant's request to expand his curfew from 10 a.m. to 3 p.m. to the current curfew of 10 a.m. to 7 p.m. As recently as August 2015, this Court reviewed the defendant's current bail conditions and denied the defendant's broader modification request to return to Canada in light of the defendant's risk of flight. Since the current bail conditions were set, there have been no change in circumstances to warrant a further modification under 18 U.S.C. § 3142. The defendant remains a significant flight risk given his substantial ties to Canada, his lack of ties to the United States, and the consequences he faces in this criminal case. *See*, Government's August 28, 2015 Letter to the Honorable Judge Waldor. The current bail conditions are the least restrictive conditions necessary to reasonably assure the defendant's appearance at trial in February.

For all the foregoing reasons, the government respectfully requests that this Court maintain the defendant's current bail conditions and deny his request for an expanded curfew.

Respectfully submitted,



/s/ Helen Christodoulou

Helen Christodoulou

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Trial Attorneys

Antitrust Division

cc: Robert Anello (counsel for John Bennett)
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